

**TRANSCRIBED FROM DIGITAL RECORDING**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

SHERI BOWEN,	Plaintiff,	}	
-vs-			
BOARD OF ELECTION			Case No. 16 C 217
COMMISSIONERS OF THE CITY OF			Chicago, Illinois
CHICAGO,			May 12, 2016
	Defendant.	}	10:03 a.m.

TRANSCRIPT OF PROCEEDINGS  
BEFORE THE HONORABLE SHEILA M. FINNEGAN, MAGISTRATE JUDGE

APPEARANCES:

For the Plaintiff: MR. JAMES SKYLES  
Skyles Law Group, LLC  
200 E. Evergreen, Suite 121  
Mount Prospect, IL 60056  
(847) 749-3059  
Email: Jdskyles@skyleslaw.com

For the Defendant: MR. TERRENCE MICHAEL BURNS  
MR. DANIEL MATTHEW NOLAND  
Dykema Gossett PLLC  
10 South Wacker Drive  
Suite 2300  
Chicago, IL 60606  
(312) 876-1700  
E-mail: Tburns@dykema.com  
Dnoland@dykema.com

**\*\*PLEASE NOTIFY OF INCORRECT SPEAKER IDENTIFICATION\*\***  
**NOTE: FAILURE TO STAND NEAR THE MICROPHONE MAKES**  
**PORTIONS UNINTELLIGIBLE AND INAUDIBLE**

Transcriber:

KATHLEEN M. FENNEL, CSR, RPR, RMR, FCRR  
Official Court Reporter  
United States District Court  
219 South Dearborn Street, Suite 2524-A  
Chicago, Illinois 60604  
Telephone: (312) 435-5569  
www.KathyFennell.com

1 (Proceedings heard in open court:)

2 THE CLERK: Case 16 CV 217, Bowen versus Board of  
3 Election Commissioners of the City of Chicago here for status  
4 hearing.

5 MR. SKYLES: Good morning, your Honor. My name is  
6 James Skyles. I'm filing an appearance on this -- on behalf  
7 of the plaintiff, Sheila Bowen. It's an additional  
8 appearance. Mr. Avila has been ill, so he's asked me to come  
9 on as co-counsel, so --

10 THE COURT: How do you spell your last name?

11 MR. SKYLES: S-K-Y-L-E-S.

12 THE COURT: S-K-Y-L-E-S?

13 MR. SKYLES: Yes, your Honor.

14 THE COURT: All right. With the same firm?

15 MR. SKYLES: Different firm.

16 THE COURT: What's your --

17 MR. SKYLES: Skyles Law Group.

18 THE COURT: Okay. All right. And so you'll be  
19 filing that today or --

20 MR. SKYLES: Yes. Well, I tried to file a motion pro  
21 hac vice last night.

22 THE COURT: Oh.

23 MR. SKYLES: But it hasn't appeared, but they did  
24 take my money out of my account, so something happened. So if  
25 the motion doesn't appear --

1 THE COURT: So pro hac vice --

2 MR. SKYLES: I'm not admitted in the Northern  
3 District.

4 THE COURT: Oh, okay.

5 MR. SKYLES: I will be admitted in the Northern  
6 District probably before anything gets serious with this case.

7 THE COURT: Where are you admitted?

8 MR. SKYLES: I'm admitted Supreme Court of Illinois.  
9 I've appeared pro hac vice in other districts, but just not in  
10 Northern District.

11 THE COURT: All right. But you practice here.

12 MR. SKYLES: Yes, I do.

13 THE COURT: All right. Good morning, counsel.

14 MR. NOLAND: Good morning, your Honor. Daniel Noland  
15 on behalf of the defendant.

16 THE COURT: Good morning.

17 I did look at the pleadings. I understand that the  
18 surviving claims are race discrimination and gender  
19 discrimination, and she was a -- she's about 50, it looks  
20 like, and she's a 24-year employee at the Board of Education.

21 So -- and the district judge already set the  
22 schedule, so the initial written discovery, has that been  
23 served?

24 MR. SKYLES: It has not. I'm just asking for two  
25 weeks on that. Defendant's counsel has agreed to that.

1 MR. NOLAND: We --

2 MR. SKYLES: Well, better rephrase, has not objected  
3 to that.

4 THE COURT: Has not objected.

5 MR. SKYLES: And then --

6 THE COURT: I'll let him state his position, but --

7 MR. SKYLES: I'd like 28 days to respond to their  
8 interrogatories and requests for production.

9 MR. NOLAND: No objection to either of those.

10 We did comply. We issued our Rule 26(a)(1)  
11 disclosures on the due date. We issued our interrogatories  
12 and requests to produce on the due date, which are overdue.  
13 We have no objection to a request for extension on those.

14 We do not have their -- plaintiff's Rule 26(a)(1)  
15 disclosures, but it sounds like those would be forthcoming.

16 MR. SKYLES: Those would be forthcoming, right, very  
17 soon.

18 THE COURT: Okay.

19 All right. So I will grant that request then.

20 The -- why don't -- just like to have the Rule 26(a)(1), can  
21 you give me a date by which you will provide those?

22 MR. SKYLES: I'll also give that within a week.

23 THE COURT: Okay. So within seven days for the  
24 26(a)(1). You're going to serve your written discovery within  
25 14 days.

1 MR. SKYLES: Yes.

2 THE COURT: And then you're going to respond to the  
3 discovery served on you within 28 days.

4 MR. SKYLES: Correct.

5 THE COURT: So we'll put three different dates in the  
6 order.

7 Is this a case where at some point you think you  
8 might want to have some settlement discussions, or it's  
9 unlikely? I usually have the plaintiff at least send a demand  
10 at some point just to have it out there.

11 MR. SKYLES: We can -- we can put together a demand.  
12 We haven't had a chance to do that yet, but we can put  
13 together a demand.

14 THE COURT: Okay. And I'll let, you know, at the  
15 next status, I'll ask -- you know, often defendants either  
16 want to take plaintiff's dep or they just don't want a  
17 settlement conference. I never force the parties.

18 But if you want to have a settlement conference at  
19 any time, you can call my courtroom deputy with your  
20 calendars, and we can give you a date.

21 MR. SKYLES: Sure.

22 THE COURT: All right. Is there anything else then I  
23 should do at this point?

24 I just like to make sure there's no last-minute  
25 motions to compel. So probably at the next status, I'll set

1 some date. I've had cases where on the eve of the discovery  
2 deadline, I find out there's big ESI issues and motions, and  
3 so I want to make sure that we don't have that happen here.

4 If anybody is doing any ESI searching, make sure you  
5 talk before you do it so you have an agreement on the process.

6 MR. SKYLES: Sure.

7 THE COURT: All right. Anything else then that  
8 either side wants to raise with me?

9 MR. SKYLES: Nothing in mind, your Honor.

10 MR. NOLAND: No, your Honor. Thanks.

11 THE COURT: All right. So what I'll probably do, I  
12 don't think you have a date to be back before the district  
13 judge probably for a while. I'll -- if you want, I'll set a  
14 telephone status, and if it's going to be just, you know,  
15 everything's up to speed, no problem, we can just have you  
16 check in by phone, or if you're going to argue, you can always  
17 come to court. I'll be sitting on the bench either way.

18 I think I'll have you, since you're going to be  
19 responding to discovery in 28 days, maybe I'll set a status in  
20 roughly 60 days.

21 MR. SKYLES: I think that would work. And telephonic  
22 is fine with me.

23 MR. NOLAND: That's fine, Judge.

24 THE COURT: Okay.

25 THE CLERK: 60 days is July 11th. Does 10:00 work

1 for counsel?

2 MR. NOLAND: Yes for me.

3 MR. SKYLES: Would it be possible -- okay, Fourth of  
4 July week is pretty shot.

5 Actually, no, the 12th would be better, but the 11th  
6 would be fine.

7 THE COURT: I don't care. Are we open on the 12th?

8 MR. NOLAND: Either is fine for me.

9 THE COURT: 12th. All right, 12th at 10:00 a.m.

10 If either one of you decides you are going to appear,  
11 just make sure the other one knows that you're going to be  
12 appearing, and so if we don't hear from you, we'll expect you  
13 to dial in, and the number will be on the order today.

14 MR. SKYLES: All right.

15 THE COURT: All right. Thank you.

16 MR. NOLAND: Thank you, your Honor.

17 MR. SKYLES: Thank you, your Honor.

18 (Which were all the proceedings heard.)

19 CERTIFICATE

20 I certify that the foregoing is a correct transcript from  
21 the digital recording of proceedings in the above-entitled  
22 matter to the best of my ability, given the limitations of  
using a digital-recording system.

23 /s/Kathleen M. Fennell

March 17, 2017

24 Kathleen M. Fennell  
25 Official Court Reporter

\_\_\_\_\_  
Date